

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements on the label of the article and in the above-mentioned leaflets were false and misleading. The statements represented and suggested that the article was an adequate and effective treatment for impure blood, stomach trouble, rheumatism, colds, sore throat, asthma, bronchitis, influenza, infected tonsils, arthritis, lumbago, sciatica, sores, eczema, poor appetite, nervousness, sleeplessness, run-down condition, nervous stomach, "asthmatics," colitis, spastic colon, ulcers, and all common sicknesses. The article was not an adequate and effective treatment for such conditions.

**DISPOSITION:** November 20, 1953. Amos LeCureaux having executed an acceptance of service and authorization for taking a final decree, judgment of condemnation was entered and the court ordered that the product be destroyed.

**4275. Misbranding of Ber-Ex tablets. U. S. v. 66 Cartoned Bottles \* \* \*.**  
(F. D. C. No. 35384. Sample No. 20184-L.)

**LIBEL FILED:** August 13, 1953, Western District of Wisconsin.

**ALLEGED SHIPMENT:** On or about June 3, 1953, by Pan Pharmacals, Inc., from Buffalo, N. Y.

**PRODUCT:** 66 cartoned bottles of *Ber-Ex tablets* at Madison, Wis.

**LABEL, IN PART:** (Carton and bottle) "100 Ber-Ex \* \* \* Tablets Succinate-Salicylate Oral Therapy \* \* \* Active Ingredients: Calcium Succinate Acetylsalicylic Acid."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements on the bottle and carton labels of the article were false and misleading. The statements represented and suggested that the article was an adequate and effective treatment for arthritic and rheumatic disorders, including osteoarthritis, rheumatoid arthritis, rheumatic fever, sciatica, gout, bursitis, fibrositis, neuritis, and myositis. The article was not an adequate and effective treatment for such conditions.

Further misbranding, Section 502 (e) (2), the article was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each active ingredient since acetylsalicylic acid is not the common or usual name for aspirin.

**DISPOSITION:** November 13, 1953. Default decree of condemnation and destruction.

**4276. Misbranding of vaginal jelly. U. S. v. 38 Cartoned Tubes \* \* \*.**  
(F. D. C. No. 35418. Sample No. 47468-L.)

**LIBEL FILED:** September 4, 1953, Northern District of Alabama.

**ALLEGED SHIPMENT:** On or about June 15, 1953, by the Commonwealth Research Laboratories, from Grand Rapids, Mich.

**PRODUCT:** 38 cartoned tubes of *vaginal jelly* at Birmingham, Ala. Each carton of the product contained a copy of a leaflet entitled "Facts and Instructions Concerning 'Pru' a Bacteridicidal and Bacteriostatic Gel."

**LABEL, IN PART:** (Carton) "Pru The Family Antiseptic A non-toxic antiseptic jelly. Recommended for Feminine Cleanliness. Active Ingredients: Oxyquinoline Sulphate, Boric Acid, Lactic Acid, Alum, Glycerine, Benzoic Acid, Gum Tragacanth. Net Contents 3 Ounces \* \* \* For Feminine Hygiene."

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statements "for Feminine Cleanliness" and "For Feminine Hygiene" were false and misleading since the article would not be effective for such purposes.

Further misbranding, Section 502 (a), certain statements in the above-mentioned leaflet were false and misleading. The statements represented and suggested that the article was an adequate and effective treatment for eczema, hemorrhoids, lacerations and ulcerated tissues of the cervix, trichomonas vaginitis, leucorrhea, vulvitis, and vaginitis. The article was not an adequate and effective treatment for such conditions.

DISPOSITION: October 28, 1953. Default decree of condemnation and destruction.

**4277. Misbranding of hormone liquid cleansing cream. U. S. v. 40 Cases, etc.**  
(F. D. C. No. 34886. Sample No. 17403-L.)

LIBEL FILED: March 18, 1953, Southern District of California.

ALLEGED SHIPMENT: On or about December 26, 1952, by the Revlon Products Corp., from New York, N. Y.

PRODUCT: 40 cases, each containing 5 dozen plastic bottles, of *hormone liquid cleansing cream* at Los Angeles, Calif., together with a number of leaflets entitled "Introducing the Cosmetic Discovery of Your Lifetime."

Examination showed that the product consisted of a white, perfumed, oil-in-water creamy emulsion containing approximately 50 percent of mineral oil, 8 percent of saponifiable fats, 39 percent of water, with small proportions of other substances, including 0.65 milligram of estrogenic hormones per fluid ounce. Assay of the hormone content indicated that the label declaration "Contains 6,000 International Units Natural Estrogenic Hormones Per Ounce" was correct.

LABEL, IN PART: (Embossed on bottle) "'White Sable' Hormone Liquid Cleansing-Creme (Biologically Standardized) Revlon \* \* \* Contains 6,000 International Units Natural Estrogenic Hormones Per Ounce. \* \* \* Net Contents 6 Fl. Oz."; (gold tag tied to neck of each bottle) "Biologically Standardized 6,000 International Units Natural Estrogenic Hormones Per Ounce The First and Only Cleansing-Creme With Hormones!"

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the bottle label, on the tag tied to the neck of each bottle, and in the above-mentioned leaflets accompanying the article were false and misleading. The statements represented and suggested that the article was an adequate and effective treatment for rejuvenating the skin, replenishing the diminished estrogenic content of the tissues, providing the tissues instantly with hormones, and revitalizing mature, dehydrated skin. The article was not an adequate and effective treatment for such conditions and purposes.

DISPOSITION: January 15, 1954. The Revlon Products Corp. having appeared as claimant and without admitting or denying any of the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered. The court ordered that the leaflets and the neck tags attached to the bottles be destroyed and that the product be delivered to charitable institutions.

**4278. Misbranding of devices known as "Magnetic Affinitizer" and their accessories, assorted articles of drug, and various vitamin tablets. U. S. v. 4 Devices, etc.** (F. D. C. No. 35270. Sample Nos. 43151-L to 43154-L,